

## **EXHIBIT S**

## Holder, Casey

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**From:** Hochmuth, Farrell  
**Sent:** Wednesday, February 17, 2016 6:33 PM  
**To:** Hochmuth, Farrell  
**Cc:** Hunt, Dean D.  
**Subject:** RE: Madoff Matters

Mr. Wedeen,

We cannot agree to adjourn the hearing to the March Omnibus date. The discovery was served last July, Judge Bernstein ordered your clients to respond by December 1, and we still do not have responses two and a half months later. While we agreed to adjourn the conference scheduled for January to February, your clients have still not complied with the Court's order and responded to the Trustee's discovery requests. As a result, you will need to seek permission from the Court.

Thank you, Farrell Hochmuth



**From:** Timothy Wedeen [mailto:[timothy.wedeen@gmail.com](mailto:timothy.wedeen@gmail.com)]  
**Sent:** Wednesday, February 17, 2016 7:22 AM  
**To:** Hochmuth, Farrell  
**Subject:** Re: Madoff Matters

In relation to the health issues, I am requesting one additional adjournment to the March omnibus date. It will be the last one. I am still not up to a full schedule yet.

Please let me know if I have the Trustee's consent, or if I will need to request it from the Court.

Thank you.

On Wed, Jan 13, 2016 at 12:24 PM, Timothy Wedeen <[timothy.wedeen@gmail.com](mailto:timothy.wedeen@gmail.com)> wrote:  
We are currently scheduled for the next omnibus date on January 27, 2016.

Last week I was diagnosed with a non-life threatening, but serious enough, medical issue that is requiring me to significantly reduce my schedule and undergo some tests, etc., over the next few weeks.

I understand your desire to move this case along, but I am requesting a 30 day (or whenever the next omnibus motion day is scheduled thereafter) adjournment.

Please let me know if you will consent, otherwise I will have to contact the court.

On Tue, Dec 15, 2015 at 11:01 AM, Hochmuth, Farrell <[FHochmuth@bakerlaw.com](mailto:FHochmuth@bakerlaw.com)> wrote:

Mr. Wedeen,

You can correspond with me regarding the Bellini, Bernfeld and Bernfeld Trust matters.

We will not agree to extend the fact discovery deadline.

Farrell

**From:** Timothy Wedeen [<mailto:timothy.wedeen@gmail.com>]  
**Sent:** Tuesday, December 15, 2015 7:18 AM  
**To:** Holder, Casey  
**Subject:** Madoff Matters

Ms. Holder:

I am getting communications from 3 different attorneys at your firm.

My response to the inquiry is that I thought I had until the end of this month to fully respond to the remaining discovery requests. That was my error, not my clients.

Our fact discovery closes as of Friday.

Can we please stipulate to extend fact discovery for a 30 day period (say January 15) with the proviso that I will complete the responses by the end of December?

I have to file a letter with the court now on, regarding this, but I would like to speak with someone first, so I can state that I attempted in good faith to resolve this.

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